GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVANTS – Smt. S.T. Vidyavati, former Senior Assistant, O/o the P.D., DW&CDA, Chittoor and now retired Superintendent, Working Women Hostel, Tirupati – Disciplinary proceedings initiated under Rule 20 of A.P.C.S (Classification, Control and Appeal) Rules, 1991 on the charges of certain irregularities – Retired from service on 31-05-2013, Withholding of 5% in admissible pension for a period of three (3) years under Rule – 9 of A.P.R.P. Rules, 1980 – Orders – Issued.

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DEPTT FOR WOMEN, CHILDREN, DIFFERENTLY ABLED AND SENIOR CITIZENS (ESTT)

G.O.Rt.No.133. Dated:19-09-2022.

Read the followings:-

1. Charge Memo. No. 424/A2/2014, Dated:06-08-2014 of the Regional Joint Director, WD & CW, Kurnool.
2. Explanation Charge Memo submitted by the Smt. S.T. Vidyavathi, former Senior Assistant, O/o the PD, DW & CDA, Chittoor, dated:27-08-2014.
3. Rc.No.479/A1/2019, Dated:19-09-2020, Enquiry report of the Project Director, DW & CDA, Chittoor.
4. Hon'ble A.P. High Court orders dated 22.01.2020 in W.P.No.14626/2019 filed by Smt. S.T. Vidyavathi, former Senior Assistant, O/o the PD, DW & CDA, Chittoor and now retired Superintendent, Working Women Hostel, Tirupati.
5. Govt., Memo.WDC01/306/Estt.A3/2021-4, WCDA & SC (Estt.A3) Dept., Dated:29-09-2021.
6. Lr.No.WDC02-12022/17/2021-VIG-WDCW, dated: 22-10-2020 of the Director, WD&CW, Guntur.
7. Explanation to Inquiry Report submitted by the Smt. S.T. Vidyavathi, former Senior Assistant, O/o the PD, DW & CDA, Chittoor and now retired Superintendent, Working Women Hostel, Tirupati, dated:21-10-2021.
8. Govt., Memo No.WDC01/306/Estt.A3/2021-5, dated: 30-11-2021. (2% cut in admissible pension for a period of 1 year.)
9. Explanation to SCN submitted by the Smt. S.T. Vidyavathi, former Senior Assistant, O/o the PD, DW & CDA, Chittoor and now retired Superintendent, Working Women Hostel, Tirupati, dated:18-12-2021.
10. From the Secretary, APPSC, Lr.No.85/DC&C/2022, dated 31-03-2022.
11. Memo No.WDC01/306/Estt.A3/2021-11, dated: 17-06-2022. (5% cut in admissible pension for a period of 3 years.)
12. Explanation to SCN submitted by the Smt. S.T. Vidyavathi, former Senior Assistant, O/o the PD, DW & CDA, Chittoor and now retired Superintendent, Working Women Hostel, Tirupati, dated:11-07-2022.

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Whereas, the Regional Joint Director, WD & CW, Kurnool, vide Charge Memo.1st read above, has initiated disciplinary proceedings against Smt. S.T. Vidyavathi, former Senior Assistant, O/o the P.D, DW & C.D.A, Chittoor and now retired Superintendent, Working Women Hostel, Tirupathi, for certain irregularities committed by her. After due procedure, Enquiry has been ordered and the Enquiry Officer has submitted her enquiry report vide letter 3rd read above.

2. Whereas, the Project Director, DW & CDA, Chittoor, in the letter 3rd read above has stated that she was unable to serve the enquiry report to Delinquent Officer Smt. S.T. Vidyavati, even though efforts were made duly sending the enquiry report through Office Subordinate on 10-09-2020, 11-09-2020 & 14-09-2020 and also by Registered Post acknowledgement due, because of non-availability of the Delinquent Officer and the same cover was returned by the postal authorities with remarks that Addressee Unclaimed hence returned to the sender and hence the enquiry report has not yet been served to Smt. S.T. Vidyavati.

3. Whereas, the individual Smt. S.T. Vidayavathi, has filed a W.P.No.14626/2019 before the Hon'ble A.P.H.C with a request to declare the action of the respondent not concluding the departmental enquiry initiated against her through Charge Memo. No. 424/A2/2014, Dated:06-08-2014 as illegal, arbitrary against G.O.Ms.No.679, G.A. (Ser.C) Dept., dated 01.11.2018 and Law laid down by the Apex Court. The Hon'ble A.P.H.C vide its order 4th read above, has passed the following orders:

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Hence, in the above circumstances, this court deems it fit to direct the respondents to complete the enquiry within a period of two months from the date of receipt of a copy of this orders, failing which the charge memo stands quashed and retirement benefits shall be paid to the petitioner without reference to the charge memo. The petitioner shall cooperate with the enquiry.

4. Whereas, Government in the Memo.5th read above has requested the Director, WD&CW, to communicate a copy of the inquiry report to Smt. S.T. Vidayavati, and obtain her further Written Representation and furnish the same to the Govt., for taking further necessary action as per APCS(CCA)Rules, 1991.

5. Whereas, the Director, WD&CW, Guntur, in her letter 6th read above, has furnished the explanation dated:21-10-2021, of the Charged Officer Smt. S.T. Vidyavati, former Senior Assistant, O/o the P.D., DW & CDA, Chittoor and now retired Superintendent, Working Women Hostel, Tirupati,

6. Whereas, vide Govt., memo.8th read above, the Government, after examining the findings of the Inquiring Authority and other material on hand, have provisionally decided under Rule-9 of the A.P. Revised Pension Rules, 1980 to impose the punishment of **2% cut in admissible pension**

for a period of one year and issued show cause notice to Smt. S.T. Vidyavati, former Senior Assistant, O/o the P.D, DW & CDA, Chittoor and now retired Superintendent, Working Women Hostel, Tirupati, as to why the said punishment as proposed shall not be imposed on her, within a period of fifteen days from the date of receipt of this notice to Government, for taking further action in the matter.

7. Whereas, in the representation 9th read above, Smt. S.T. Vidyavati, former Senior Assistant, O/o the P.D, DW & CDA, Chittoor and now retired Superintendent, Working Women Hostel, Tirupati, has stated that the true spirit of the judgement dt.25.09.2019 in W.P.No.14626/2019 of the A.P.H.C to complete the process of enquiry within two months from the date of receipt of orders copy failing which, the charge memo. dated 06.08.2014 is stands quashed and pension and retirement benefits should be released to her is not achieved and remains pending as per the report of enquiry officer itself and attracting the provisions of contempt proceedings pending in C.C.No.979/2020 filed by her in W.P.No.24626/2019 before the Hon'ble A.P.H.C. Therefore, she stated to drop further action and not impose any punishment as already suffered without any retirement benefits for three years due to delay caused by the department.

8. Whereas, after due procedure, when the APPSC was consulted for concurrence, the Commission in their letter 10th read above, has **enhanced the punishment to 5% cut in pension for a period of three (3) years** and advised to take action accordingly against Smt. S.T. Vidyavati, former Senior Assistant, O/o the P.D., DW&CDA, Chittoor, and now retired Superintendent, Working Women Hostel, Tirupati.

9. Whereas, vide Govt., Memo. 11th read above, a revised show cause notice was issued to the C.O Smt. S.T. Vidayavathi, by informing the revised quantum of punishment to be imposed against her, as per A.P. Revised Pension Rules, 1980.

10. Whereas, in her representation 12th read above, Smt. S.T. Vidyavati, former Senior Assistant, O/o the PD, DW & CDA, Chittoor and now retired Superintendent, Working Women Hostel, Tirupati, has stated that she has already faced severe hardship in securing her promotion in right time and even after retirement on 30-06-2018, i.e., more than four years her pensionary benefits have not reached her in complete shape. She further humbly stated that the "initial proposed imposition of punishment of 2% cut in admissible pension for a period of one year itself, will be causing her heavy financial loss and at this age after crossing 64 years, she is facing multiple health problems and further, due to death of her husband, she left without any assistance. The proposed punishment of 5% cut in admissible pension for a period of three (3) years, is a death blow to her, a senior citizen having crossed 64 years and the proposed punishment is 9 times the initial proposed punishment, which will definitely have severe effect on her pensionary benefits. Therefore, she has requested not to resort to modify the imposition of punishment of 5% cut in admissible pension for a period of three (3) years, but to be pleased to impose only 2% cut in admissible pension for a period of one year, which was initially proposed.

11. Government after careful examination of the entire matter, hereby decided and order to impose the punishment of withholding of **5% (Five percent) of admissible pension for a period of three (3) years**, under Rule-9 of A.P.R.P. Rules, 1980 in respect of Smt. S.T. Vidyavati, former Senior Assistant, O/o the PD, DW & CDA, Chittoor and now retired Superintendent, Working Women Hostel, Tirupati.

12. This order issues with the concurrence of A.P.P.S.C vide their Letter 10th read above.

13. The Director, W.D&C.W., A.P., Guntur, is requested to take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

A.R. ANURADHA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director, WD&CW, A.P, Guntur
The Regional Joint Director, WD&CW Dept., Kunrool
The Project Director, DW&CDA, Chittoor District
Smt. S.T. Vidyavati, former Senior Assistant,
O/o the P.D., DW&CDA, Chittoor
Door No.3-325/2, Greamspet,
Chittoor (we) (By Regd. Post)
Cell No.9398980052.

Copy to:
The Secretary, Andhra Pradesh Public Service Commission, Vijayawada.
The Accountant General, D.No.54-14/5-17/A, Road No.12A/10A,
Bank Colony, Bharathi Nagar, Gunadala (PO),
Vijayawada – 520 008, Andhra Pradesh.
The Director of Treasuries & Accounts, D.No.7-57, Sri Anjaneya Towers,
VTPS Road, Ibrahimpatnam, Vijayawada-521456
The P.S to Prl. Secy., Dept., for WCDA & SC.
The G.P for Services, APHC (w.r.t C.C.No.979/2019)
The Liaison Officer, APHC (with a request to bring to the notice of the G.P)
SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER